

HOUSE BILL 225

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By: **Delegates Ali, Barkley, Carr, King, Kullen, Reznik, Serafini, and Shewell**
Introduced and read first time: January 22, 2010
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Transparency in Legislative Appointments Act**

3 FOR the purpose of prohibiting local political party central committees in the State
4 from voting by secret ballot when selecting a name to submit to the Governor to
5 fill a vacancy in the office of State delegate or senator; and generally relating to
6 voting by political party central committees to fill vacancies in certain
7 legislative offices.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 4–204
11 Annotated Code of Maryland
12 (2003 Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Election Law**

16 4–204.

17 (a) Except as otherwise provided in this article, each political party shall
18 adopt and be governed by a constitution and all bylaws and rules adopted in
19 accordance with the constitution.

20 (b) (1) The constitution and bylaws of each political party shall provide:

21 (i) for such matters as in its opinion are necessary for the
22 proper conduct of party affairs;

23 (ii) for the selection of a State governing body;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (iii) for the calling of regular meetings, advance notification of
2 meetings, and special notice for special meetings;

3 (iv) for the establishment of a quorum;

4 (v) a method of amending the political party's constitution and
5 bylaws;

6 (vi) procedures for filling a vacancy in a nomination for public
7 office;

8 (vii) for a principal political party, for the convening of a meeting
9 of the central committee within 45 days after the primary election in each
10 gubernatorial election year;

11 (viii) if the political party is required to nominate its candidates
12 by petition, procedures for determining which of two or more party members who
13 qualify for nomination in the same contest shall be designated on the ballot as
14 nominees of the political party; and

15 (ix) for the adoption of rules governing the political party.

16 (2) The Republican Party State Central Committee may adopt
17 provisions in its constitution and bylaws providing for the removal of members of the
18 Republican State Central Committee who fail to discharge the minimum
19 responsibilities of a State central committee member.

20 (c) (1) In accordance with the constitution and bylaws of a principal
21 political party, the central committee of that party for each county shall adopt a
22 constitution, bylaws, and rules.

23 (2) Until a central committee adopts a constitution, bylaws, and rules,
24 the central committee shall be governed by the State central committee.

25 **(3) THE CONSTITUTION, BYLAWS, AND RULES OF EACH CENTRAL**
26 **COMMITTEE SHALL PROHIBIT VOTING BY SECRET BALLOT WHEN SELECTING A**
27 **NAME TO SUBMIT TO THE GOVERNOR TO FILL A VACANCY IN THE OFFICE OF**
28 **DELEGATE OR SENATOR.**

29 (d) (1) Within 30 days after the adoption or amendment by a political
30 party of a constitution, bylaw, or rule, the political party shall file a copy of the
31 constitution, bylaw, or rule with the State Board.

32 (2) Within 30 days after the adoption or amendment by a central
33 committee of any county of a constitution, bylaw, or rule, the local central committee

1 shall file a copy of the constitution, bylaw, or rule with the State central committee
2 and the State Board.

3 (e) (1) The constitution and bylaws adopted by a new political party shall
4 conform to the requirements of subsections (a), (b), and (c)(1) of this section.

5 (2) If a new political party decides to form local central committees,
6 the political party shall notify the State Board of the number and size of the local
7 central committees within 6 months after the date the State Board notified the
8 political party that it is considered a State political party.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2010.